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IN CLERK  
U.S. DISTRICT COURT  
JUL 21 2005

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,  
  
-against-  
  
EMILIO RAMOS,  
  
Defendant.

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: 01 CR 15 (ARR)  
:  
: NOT FOR ELECTRONIC  
: OR PRINT  
: PUBLICATION  
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: OPINION AND ORDER  
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X

ROSS, United States District Judge:

The court issued an order dated June 16, 2005, after having received three letters from defendant Emilio Ramos making various requests. In that order, the court noted that it had previously sent Ramos copies of his sentencing transcript and docket sheet and forewarned him that any petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2255 must be timely filed or it would not be considered.<sup>1</sup> Ramos has subsequently submitted a fourth letter requesting the court to issue an order directing the Metropolitan Detention Center ("MDC") in Brooklyn, New York to grant him daily access to the law library.

The court has no jurisdiction over the administrative operations of the MDC and lacks authority to compel it to give Ramos as much access to the law library as he requests. The court emphasizes that a habeas petition pursuant to section 2255 must be timely filed, that is, it must be filed within one year from the date on which Ramos's judgment of conviction became

<sup>1</sup>The June 16, 2005 order is appended.

o/m

final. Ramos may file an initial petition pursuant to section 2255 and supplement it at a later date, but he must file his initial petition within the one-year statute of limitations.

Finally, the court instructs Ramos that while he may file a proper pleading in a proceeding pursuant to section 2255, the court will accept no further letters submitted under the docket number for his criminal case.

SO ORDERED.

\_\_\_\_\_  
Allyne R. Ross  
United States District Judge

Dated: July 20, 2005  
Brooklyn, New York

SERVICE LIST:

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES,

Plaintiff,

-against-

EMILIO RAMOS,

Defendant.

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X

03 CR 155 (ARR)

NOT FOR  
PUBLICATION

ORDER

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ JUN 21 2005 ★

BROOKLYN OFFICE

ROSS, United States District Judge:

Before the court are three letters submitted by defendant Emilio Ramos on May 29, 2005. In his first letter, defendant notified the court that there have "been some complications in continuing [his] work" preparing a petition for writ of habeas corpus pursuant to 18 U.S.C. § 2255. Defendant is forewarned that any such petition must be timely filed or it will not be considered. If difficulties procuring his personal effects make it necessary for defendant to supplement his timely filed petition with documents or argument fairly within the scope of the petition, he may seek leave from the court to do so.

In his second and third letters, defendant asks the court to send him specific documents, namely, "a copy of the sentencing transcript," various "docket entries regarding this matter," and the Second Circuit's decision in his case. The court has previously sent defendant copies of both his sentencing transcript and docket sheet. The court is not in possession of the Second Circuit's decision, and is not in the position to collect documents on defendant's behalf.

c/m

**SO ORDERED.**

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**Allyne R. Ross**  
**United States District Judge**

**Dated: June 16, 2005**  
**Brooklyn, New York**

**SERVICE LIST:**

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